

EXHIBIT F

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

4 SINGULAR COMPUTING LLC,)
5 Plaintiff) Civil Action
6) No. 19-12551-FDS
7 vs.)
8 GOOGLE LLC,)
Defendant)

10 BEFORE: CHIEF JUDGE F. DENNIS SAYLOR, IV

MOTION HEARING

John Joseph Moakley United States Courthouse
1 Courthouse Way
Boston, MA 02210

January 11, 2023
3:00 p.m.

1 publications could have been a ground for an anticipation
2 argument because they don't contain all the details, and
3 here's a particular example:

4 Both of the asserted claims at this point, your
5 Honor, require, and this was sort of the distinguishing
6 point, by the way, in the IPR proceedings, too, require
7 that, "The number of LPHDR execution units in the device
8 exceeds by at least 100 the nonnegative integer number of
9 execution units in the device adapted to execute at least
03:34PM 10 the operation of multiplication floating point numbers that
11 are at least 32 bits wide," so it's a bit of a mouthful,
12 but it basically says you have to have 100 more LPHDR units
13 than standard precision units, so what do you need for that
14 formula? You need to know how many LPHDR units there were
15 in the system, and you need to know how many standard units
16 were in the system.

17 Singular hasn't shown and can't, frankly, what it
18 calls the printed -- what it's calling the printed
19 publications. It can't show that they disclose an aspect
03:35PM 20 of the system.

21 Dr. Leeser knows what tests setup she had. She
22 was able to go back to her notes and figure it out. It was
23 a Pentium III computer that had up to four multipliers,
24 standard precision multipliers on it.

25 That's not disclosed in any one of the printed

1 publications that Singular is pointing to. That's
2 information that Dr. Leeser is a percipient witness is
3 going to provide about the VFLOAT system, and it's kind of
4 similar to this court's reasoning in the *Sionyx* case, the
5 fact that certain evidence goes to proving up the physical
6 system, including maybe printed publications is fine as
7 long as it's using other evidence that wasn't known.

8 And Mr. Hayes was conceding as much during the
9 course of his argument. He was saying, listen, if there's
03:36PM 10 other information that's coming from the documents or the
11 witnesses that's not disclosed in the printed publications,
12 then in that case, Google is allowed to pursue the
13 argument, it's not estopped from pursuing the argument.
14 That is exactly what's going on here. I mean, that is the
15 exact situation. It's not cumulative of anything, and they
16 won't be able to identify that in the publications. They
17 certainly didn't in their briefing.

18 THE COURT: Let me try to simplify it, and I
19 wouldn't assume, by any means, certainly I won't assume
03:36PM 20 that I got anything right in *Sionyx* or that I was not
21 painting with too broad or too narrow a brush, but let's
22 say if I'm thinking about this clearly, in an anticipation
23 argument -- I'm sorry, obviousness argument, so you have a
24 printed publication that describes W and X, and you have
25 another printed publication that describes Y and Z, and